

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Andrew Gabriel on September 26, 2008.

The application has been amended as follows:

- In Claim 1, page 2 line 2, delete --consumer-- and replace with **"consumer via a presentation medium"**.
- In Claim 1, page 2 line 12, delete --is adapted to adjust-- and replace with **"adjusts"**.
- In Claim 1, page 2 line 15, delete --is adapted to use-- and replace with **"uses"**.
- In Claim 1, page 3 line 1, delete --is adapted to be-- and replace with **"is"**.
- In Claim 1, page 3 line 5, delete --.-- and replace with ";".
- In Claim 1, page 3 line 5, after line 5 add **"wherein the presentation medium is a television; and wherein the modulated credit value has a higher credit value when the credit-bearing content is being presented to a consumer who is known to be in a demographic**

group that has a high probability of purchasing a product featured in said credit-bearing content."

- In Claim 3, page 3 line 8, delete --is adapted to attribute-- and replace with **"attributes"**.
- In Claim 3, page 3 line 10, delete --is adapted to control-- and replace with **"controls"**.
- In Claim 4, page 3 line 13, delete --is adapted to cease-- and replace with **"ceases"**.
- In Claim 6, page 3 line 17, delete --controller is adapted to:-- and replace with **"controller:"**.
- In Claim 6, page 3 line 18, delete --monitor-- and replace with **"monitors"**.
- In Claim 6, page 4 line 1, delete --adjust-- and replace with **"adjusts"**.
- In Claim 7, page 4 lines 3-4, delete --is adapted to subtract-- and replace with **"subtracts"**.
- Regarding Claim 10, Cancel Claim 10 on page 4.
- In Claim 11, page 5 line 1, delete --The apparatus according to Claim 10-- and replace with **"The apparatus according to Claim 1"**.
- In Claim 12, page 5 line 6, delete --The apparatus according to Claim 10-- and replace with **"The apparatus according to Claim 1"**.
- In Claim 15, page 5 line 13, delete --consumer-- and replace with **"consumer via a presentation medium"**.
- In Claim 15, page 6 line 10, delete --.-- and replace with ";;".

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- In Claim 15, page 6 line 10, after line 10 add **“wherein the presentation medium is a television; and wherein the modulated credit value has a higher credit value when the credit-bearing content is being presented to a consumer who is known to be in a demographic group that has a high probability of purchasing a product featured in said credit-bearing content.”**.
- Regarding Claim 24, Cancel Claim 24 on page 8.
- In Claim 25, page 8 line 7, delete --The method according to Claim 24-- and replace with **“The method according to Claim 15”**.
- In Claim 28, page 8 line 18, delete --consumer-- and replace with **“consumer via a presentation medium”**.
- In Claim 28, page 9 line 17, delete --.-- and replace with “;”.
- In Claim 28, page 9 line 17, after line 17 add **“wherein the presentation medium is a television; and wherein the modulated credit value has a higher credit value when the credit-bearing content is being presented to a consumer who is known to be in a demographic group that has a high probability of purchasing a product featured in said credit-bearing content.”**.

Response to Arguments

2. Applicant's arguments filed June 13, 2008, with respect to claims 1, 3, 4, 6-9, 11-15, 17, 18, 20-23, and 25-28 have been fully considered and are persuasive. The rejection of claims 1, 3, 4, 6-9, 11-15, 17, 18, 20-23, and 25-28 has been withdrawn.

Allowable Subject Matter

3. Claims 1, 3, 4, 6-9, 11-15, 17, 18, 20-23, and 25-28 are allowed.

The following is an examiner's statement of reasons for allowance:

Regarding claims 1, 15, and 28, the prior art of record fails to show or fairly suggest that the modulated credit value has a higher credit value when the credit-bearing content (e.g. advertisements) is being presented to a consumer via television who is known to be in a demographic group that has a high probability of purchasing a product featured in said credit-bearing content.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

4. The art made of record and not relied upon is considered pertinent to applicant's disclosure. Please take note of Dedrick (US005752238A), Rodriguez (US007340759B1), Candelore (US006057872A), and Blasko et al.

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(US20020083444A1) for their similar method of adjusting values of content within a television network.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JOSEPH G. USTARIS whose telephone number is (571)272-7383. The examiner can normally be reached on M-F 7:30-5 PM; Alternate Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christopher S. Kelley can be reached on 571-272-7331. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Joseph G Ustaris/
Primary Examiner, Art Unit 2623